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8 UNITED STATES DISTRICT COURT
9 FOR THE EASTERN DISTRICT OF CALIFORNIA
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11 HUMBERTO CASTILLO DIAS,

12 Petitioner,

13 v.

14 RAYTHEL FISHER,

15 Respondent.
16

No. 2:20-cv-0410 DB P

ORDER

17 Petitioner has requested the appointment of his state appellate attorney as counsel of
18 record in this federal habeas action. There currently exists no absolute right to appointment of
19 counsel in habeas proceedings. See Nevius v. Sumner, 105 F.3d 453, 460 (9th Cir. 1996).
20 However, 18 U.S.C. § 3006A authorizes the appointment of counsel at any stage of the case “if
21 the interests of justice so require.” See Rule 8(c), Fed. R. Governing § 2254 Cases. In the
22 present case, the court does not find that the interests of justice would be served by the
23 appointment of counsel at the present time.

24 Accordingly, IT IS HEREBY ORDERED that petitioner’s request for appointment of
25 counsel (ECF No. 2) is denied without prejudice to a renewal of the motion at a later stage of the
26 proceedings.

27 Dated: April 10, 2020

28 /DLB7;
DB/Inbox/Routine/dias0410.110


DEBORAH BARNES
UNITED STATES MAGISTRATE JUDGE